UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD REGION 24

CC-1 LIMITED PARTNERSHIP D/B/A COCA -COLA PUERTO RICO BOTTLERS

Respondent Employer

and

Cases 24-CA-11018 et al.

CARLOS RIVERA, et al.

Charging Parties

and

UNION DE TRONQUISTAS DE PUERTO RICO, LOCAL 901 INTERNATIONAL BROTHERHOOD OF TEAMSTERS

Respondent Union

and Cases 24-CB- 2648, et al.

CARLOS RIVERA, et als.

Charging Parties

and

MIGDALIA MAGIRS, MARITZA QUIARA, SILVIA RIVERA, JESUS BAEZ, HUMBERTO MIRANDA, Cases 24-CB- 2706, et al. ORLANDO HERNÁNDEZ AND RAYMOND REYES

Charging Parties

MOTION REQUESTING ORDER SEVERING CASES AND REMANDING 12 CASES

Comes now Counsel for the Acting General Counsel and respectfully states and prays as follows:

1. On April 16, 2010, Administrative Law Judge Bruce D. Rosenstein (herein ALJ) issued his Decision in the above captioned case.

- 2. Thereafter, Respondent Employer, Respondent Union and Counsel for the Acting General Counsel submitted their respective Exceptions to the Decision of the ALJ, which are pending a Decision before the Board.
- 3. The Respondent and the individual Charging Parties and alleged discriminatees in Cases 24-CA-11060, 24-CA-11115, 24-CA-11064, 24-CA-11033, 24-CA-11089, 24-CA-11039, 24-CA-11141, 24-CA-11105, 24-CA-11056, 24-CA-11043, 24-CA-11038, 24-CA-11040 (herein the 12 Charging Parties) have entered into a Stipulation settling the amount of backpay due to each of the 12 Charging Parties. Inasmuch as the 12 Charging Parties have declined to be reinstated to employment with Respondent Employer, Counsel for the Acting General Counsel files the instant Motion requesting that the aforementioned 12 Cases be severed from the other above captioned Cases and that these 12 Cases be remanded to the Regional Director of Region 24 for processing of their requests to conditionally withdraw their charges (conditioned on the payment of the agreed to backpay amounts). Counsel for the Acting General Counsel further requests that its Exception concerning the discharge of Dennes Figueroa (24-CA-11089) be deemed conditionally withdrawn as well. Counsel for the Acting General Counsel states that the filing of this Motion, as well as the settlement referred to above, only affect, or constitute a withdrawal of (conditioned on the payment of the agreed to backpay amounts), the allegations that pertain to the discharge of the above-mentioned individuals.

Wherefore, the appearing party requests the Board to issue an Order Severing Cases 24-CA-11060, 24-CA-11115, 24-CA-11064, 24-CA-11033, 24-CA-11089, 24-CA-11039, 24-CA-11141, 24-CA-11105, 24-CA-11056, 24-CA-11043, 24-CA-11038, 24-CA-11048, 24-CA-11048,

CA-11040 from Case 24-CA1118 et al and remanding the afore-mentioned 12 Cases to the Regional Director for Region 24 for further processing.

Respectfully submitted in San Juan, Puerto Rico, this 27th day of January 2011.

Isis Ramos Melendez

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CERTIFICATE OF SERVICE

I hereby certify that on this same date a true copy of the "Joint Motion Requesting Order Severing Cases and Remanding Ten Cases" was served upon the following:

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Honorable Board, Washington

Dated at San Juan, Puerto Rico this 27th day of January 2011.

Isis Ramos Melendez

Counsel for Acting General Counsel